



PATENT

ATTORNEY DOCKET NO.: D3398-00033CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Aguais et al.

Confirmation No: 1722

Serial No.: 10/051,905

Group Art Unit: 2171

Filed: January 17, 2002

Examiner: Richard C. Fultz

For: System and Methods for Valuing and
Managing the Risk of Credit Instrument
Portfolios

I CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE U.S. PATENT AND TRADEMARK OFFICE, COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA. 22313-1450

ON November 23, 2004
BY Steven E. Kaffa

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

STATEMENT OF DAN ROSEN

I, Dan Rosen, certify as follows:

1. I have been employed with Algorithmics Incorporated since 1995. The office of Algorithmics Incorporated is located at 185 Spadina Avenue, Toronto, Ontario, M5T 2C6, Canada.
2. Currently, my title is Vice President, Strategy and Business Development. I am also currently an Adjunct Professor for the Mathematical Finance Master's program at the University of Toronto.
3. I have been advised that an article entitled "Building a Credit Risk Valuation Framework for Loan Instruments" was filed with the U.S. Patent and Trademark Office in an information disclosure statement in connection with the above-captioned application on June 24, 2002. The article was published in an issue of the Algo Research Quarterly. The article was marked with a printing date of "December 2000".

PH1N1316575.1

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4. During December of 2000 and January of 2001, my title was "Vice President, Research and New Solutions." The research communications group, within my department, was responsible for writing, producing and delivering every issue of the Algo Research Quarterly.

5. Based on my personal knowledge and a review of Algorithmics' records and files, I have knowledge of the facts provided below.

6. The above-referenced article entitled "Building a Credit Risk Valuation Framework for Loan Instruments", was not actually published or delivered to the public until January 10, 2001. The printing date of December 2000 was not a publication date.

7. The article was first mailed by Postal Connections, a mailing center, to members of the public on January 10, 2001 (both to recipients located in the U.S. and to recipients outside of the U.S.). The address of Postal Connections was 1319 Kamato Road, Mississauga, Ontario, L4W 2M2, Canada. An invoice listing the mailing date of the first public disclosure of this document on January 10, 2001 is attached hereto as Exhibit A. The date January 10, 2001, which appears on the fax cover sheet that accompanies the invoice, is the mailing date associated with the above-referenced article.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: November 17 2004


Dan Rosen

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